Anwar et al v. Fairfield Greenwich Limited et al Doc. 147

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

FRANK E. PIERCE and FRANK E. PIERCE IRA,

Plaintiffs,

vs.

FAIRFIELD GREENWICH GROUP, FAIRFIELD GREENWICH (BERMUDA) LTD., FAIRFIELD GREENWICH ADVISORS LLC, GLOBEOP FINANCIAL SERVICES LLC, CITCO FUND SERVICES (EUROPE) BV, CITCO (CANADA) INC., WALTER M. NOEL, JR., JEFFREY TUCKER, ANDRES PIEDRAHITA, BRIAN FRANCOEUR, AMIT VIJAYVERGIYA, and PRICEWATERHOUSECOOPERS LLP,

Defendants,

and

GREENWICH SENTRY PARTNERS, L.P.,

Nominal Defendant.

Index No.: 600498/2009
Date Purchased: 2/17/2009

Plaintiffs designate New York County as the place of trial.

The basis of the venue is Plaintiffs' and Defendants' Residence

SUMMONS

Plaintiffs reside in New York, NY

County of New York

NEW YORK
COUNTY CLERK'S OFF
FEB 17 2009
NOT COMPARED
WITH COPY FILED

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED TO answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiffs' Attorneys **within 20 days** after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your

Dockets.Justia.com

failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: February 17, 2009

Defendants' Addresses:
(SEE ATTACHED SCHEDULE A)

Attorneys for Plaintiffs:

MILBERG LLP

By: ______________________
Sanford Dumain
Matthew Gluck
Brad Friedman
Andrei V. Rado
Kristi Stahnke McGregor
One Pennsylvania Plaza
New York, NY 10119
Telephone: (212) 594-5300

Stephen A. Weiss
Christopher M. Van de Kieft
SEEGER WEISS LLP
One William Street
New York, NY 10004
Telephone: (212) 584-0700

SCHEDULE A

FAIRFIELD GREENWICH GROUP
c/o Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

FAIRFIELD GREENWICH (BERMUDA) LTD.
12 Church Street, Suite 606
Hamilton, Bermuda HM11

FAIRFIELD GREENWICH ADVISORS LLC
c/o Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

GLOBEOP FINANCIAL SERVICES LLC
450 Mamaroneck Avenue
Harrison, NY 10528

CITCO FUND SERVICES (EUROPE) BV
Telestone 8, Teleport, Naritaweg 165
1043 BW Amsterdam
The Netherlands

CITCO (CANADA) INC.
2 Bloor Street East, Suite 2700
Toronto, Ontario M4W 1A8 Canada

WALTER M. NOEL, JR.
175 Round Hill Rd.
Greenwich, CT 06831-3724

400 Park Ave., Apt. 2B
New York, NY 10021-2759

400 First Neck Ln.
Southhampton, NY 11968-4710

JEFFREY TUCKER
662 Stonebridge Rd.
Schuylerville, NY 11968-4710

ANDRES PIEDRAHITA
2433 Fisher Island Dr. 5303
Miami Beach, FL 33109-0120

BRIAN FRANCOEUR
c/o Fairfield Greenwich (Bermuda) Ltd.
12 Church Street, Suite 606
Hamilton, Bermuda HM11

AMIT VIJAYVERGIYA
c/o Fairfield Greenwich (Bermuda) Ltd.
12 Church Street, Suite 606
Hamilton, Bermuda HM11

PRICEWATERHOUSECOOPERS LLP
Royal Trust Tower, Suite 3000
Toronto-Dominion Centre
77 King Street West
Toronto, Ontario M5K 1G8 Canada

GREENWICH SENTRY PARTNERS, L.P.
c/o Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

AFFIDAVIT OF PROCESS SERVER

In The Supreme Court of the State of New York in and for the County of New York

Franklin E. Pierce and Frank E. Pierce IRA
Plaintiff(s)
v
Fairfield Greenwich Group, et al
Defendant(s)

Index No: 600498/2009 Filed: 2/17/09

I declare that I am a citizen of the United States, over the age of eighteen and not a party to this action. And that within the boundaries of the state where service was effected, I was authorized to perform said service

Service: I served Greenwich Sentry Partners, L.P.

with the documents: Summons with Schedule A; Limited Partners Derivative Complaint with Jury Trial Demanded; Endorsed with Index Number and Date of Filing

Person Served: Mary Drummond, Managing Agent duly authorized to accept service.

Service Address: Corporation Service Company, Registered Agent, 2711 Centerville Rd., # 400, Wilmington, DE 19808

Date of Service: February 19, 2009 Time of Service: 3:20 p.m.

Manner of Service: (X) By personally delivering copies to the person/authorized agent of entity being served.
() By leaving, during office hours, copies at the office of the person/entity being served, leaving same with the person apparently in charge thereof
() By leaving copies at the dwelling house or usual place of abode of the person being served, with a member of the household 18 or older and explaining the general nature of the papers.
() By posting copies in a conspicuous manner to the address of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

() Unknown at address () Evading () Moved, left no forwarding () Other
() Address does not exist () Service canceled by Litigant () Unable to serve in a timely fashion

Service Attempts: Service was attempted on ________ at ________, ________ at ________,
________ at ________, ________ at ________, ________ at ________, ________ at ________,

Description: Age: 40's Sex: F Race: B Hgt: 5'6" Wgt: 135 Hair: Brown Glasses: No

I declare under penalty of perjury that the information contained herein is true and correct and this affidavit was executed on:

February 20, 2009 at Wilmington, Delaware
Date City State

Daniel Newcomb, Process Server

State of Delaware
County of New Castle

Subscribed and Sworn before me, a Notary Public of the State of Delaware on February 20, 2009

Witness My Hand and Official Seal To

Kimberly J. Ryan, My Commission Expires 6/15/12
Notary Public, State of Delaware

KIMBERLY J. RYAN
NOTARY PUBLIC-DELAWARE
My Commission Expires June 15, 2012